

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KAWIKA AUSTIN-NIPP
AND SUMMER NIPP by and through
their maternal grandfather, Terald A.
Austin

Petitioners,

v.

STATE OF WASHINGTON *et al.*,

Respondents.

Case No. C05-5132FDB

ORDER ADOPTING
REPORT AND
RECOMMENDATION

The Court having reviewed the Report and Recommendation of the Hon. Karen L. Strombom United States Magistrate Judge, the remaining record, and no objections to the Report and Recommendation having been filed, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The petition is **DISMISSED**. The court lacks jurisdiction to consider this matter. Lehman v. Lycoming County Children's Services Agency, 458 U.S. 502 (1982).
- (3) The clerk is directed to send copies of this Order to Petitioner, counsel for respondent and to the Hon. Karen L. Strombom.

DATED this 4th day of April 2005.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE